

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL NO. 1:05CV61**

THERON MULLINAX,)
Guardian Ad Litem for)
GEORGE HOWARD MCELRATH)
)
Plaintiff,)
v.)
)
ROBERT G. WARREN and wife,)
VIKI WARREN, and)
MOUNTAIN TOP FARMS, LLC,)
)
Defendants)
and,)
)
UNITED STATES OF AMERICA, and)
CENTRAL CAROLINA BANK,)
)
Intervenor-Defendants)
<hr/>)

ORDER

This matter is before the court on a consent motion by all parties hereto to stay proceedings in this case for thirty days.

In the motion, the parties report that they have recently been informed that a person who is not a party to this lawsuit is interested in making a substantial offer to purchase most if not all of the land at issue in this case. The parties further hereto believe that such an offer will be made within the next thirty days and that such offer, if credible and supported by sufficient proof of adequate financing to consummate the purchase, may substantially affect the positions of one or more parties in this case.

Wherefore, on motion of all parties, and for cause shown, it is hereby ORDERED that all proceedings in this case, including discovery, are stayed for a thirty day period of time from the entry of this Order, and all deadlines set by the Pretrial Order and related orders in this case are hereby

extended by thirty days.

Signed: August 30, 2005

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

